GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – BC Welfare Department – Surprise Check conducted by the ACB officials on Government B.C. Boys Hostel, Chitvel (V&M), Y.S.R.Kadapa District on 29.12.2009 – Certain irregularities committed by Sri S.Lakshmi Narayana, H.W.O and (2) others –Article of Charges framed- Inquiry conducted–punishment orders issued-Filed O.A. No.8862/2013– De novo enquiry conducted – Punishment proposed – Demised on 25.05.2021- Further action abated besides recovery of an amount of Rs.49,914.19 p.s – Orders – Issued.

==========

BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No.139 **Dated:11-08-2022.**

Read the following:-

1. From the Director General, Anti Corruption Bureau, Hyderabad, Lr.Rc.No.85/DES-TCD/2009, Dated.09.02.2011.
2. Govt. Memo.No.557/Vig.Cell.A1/2011-1, Dated:29.04.2011.
3. From the Director of B.C.Welfare, Lr.Rc.No.A1/4202/2011, dt: 24.06.2011.
4. Memo.Rc.No. B3/300/2011-1, Dt: 28.07.2011 of the District Collector, Kadapa District.
5. Memo.Rc.No. B3/300/2011-1, Dt: 15.09.2011 of the District Collector, Kadapa District.
6. Rc.No.AEO/B.C-Wel/2012, dt.22.03.2012 of the Executive Director, District SCSCS Ltd., Kadapa.
7. Lr.Rc.No. B3/300/2011, Dt: 18.08.2012 of the District Collector, Kadapa District
8. Govt. Memo.No.557/Vig.Cell.A1/2011-8, Dated:14-5-2013.
9. Procgs.Rc.No. B3/300/2011, Dt: 27.07.2013 of the District Collector, Kadapa District.
10. Procgs.Rc.No. B3/300/2011, Dt: 16.10.2017 of the District Collector, Kadapa District.
11. Rc.No.Enquiry-III/ED/2017-18, dt.01.07.2019 of the Executive Director, SC Coarporation, Kadapa.
12. Lr.Rc.No. B3/300/2011, Dt: 08.11.2019 of the District Collector, Kadapa District.
13. From the Director of B.C.Welfare, Lr.Rc.No.E/4202/2011, dt: 25.06.2020.
14. Lr.Rc.No. B3/300/2011, Dt: 29.09.2021 of the District Collector, Kadapa District.
15. From the Director of B.C.Welfare, Lr.Rc.No.E/4202/2011, dt: 02.11.2021.

ORDER:-

In the reference 1st read above, the Director General, Anti Corruption Bureau, Hyderabad, has recommended to initiate Departmental action against Sri S.Lakshmi Narayana, HWO along with (2) other BC Welfare employees for the certain irregularities committed in maintenance of Govt. B.C. Welfare Hostel for Boys, Chitvel (v), Kadapa District, besides recovery of misappropriated amount of Rs.49,944-19 p.s from Sri Suryapalli Lakshmi Narayana, HWO.

2. In the reference 4th read above, Article of charges were framed against Sri S.Lakshmi Narayana, HWO and directed to submit his written statement of defense on receipt of the order. In reply, the Charged Officer has submitted his explanation and denied all the charges framed against him. Since the explanation of the Charged Officer has not been satisfied, the District Collector, Y.S.R.District has appointed the Executive Director, District S.C.S.C.S Ltd., Kadapa as inquiring authority to inquire into the charges framed against the Charged Officer vide reference 5th cited.

(P.T.O)

3. In the reference 6th read above, the Inquiry Officer / Executive Director, District S.C.S.C.S Ltd., Kadapa, after conducting the regular inquiry, has submitted the inquiry report stating that, out of (6) article of charges, (4) charges were held proved, (1) charges held partially proved and (1) charges is held not proved; and also stated that, an amount of Rs.49,914.19 p.s has been misappropriated and drawn the said amount by the charged officer by making false attendance to the boarders.

4. In the reference 7th read above, the District Collector, Y.S.R.District has proposed a punishment of "withholding of two (2) annual grade increments with cumulative effect" besides recovery of misappropriated amount of Rs.49,914.19 p.s in respect of Sri S.Lakahmi Narayana, HWO.

5. In the reference 8th read above, Government have accepted the proposal of the District Collector, Y.S.R District i.e. "withholding of two (2) annual grade increments with cumulative effect" besides recovery of misappropriated amount of Rs.49,914.19 p.s in respect of Sri S.Lakahmi Narayana, HWO; and the District Collector, Y.S.R. Kadapa District was requested to take further necessary action in the matter.

6. Aggrieved by the above, Sri S.Lakahmi Narayana, HWO has approached Hon'ble APAT and filed O.A.No.8862/2013. The Hon'ble APAT, vide its Orders dt.28.10.2016, has passed the following orders:

> "the enquiry proceedings as conducted in this case are vitiated, as they are in violation of the rules governing the disciplinary proceedings, Particularly, Rule 20 and 21 of the Andhra Pradesh Civil Services (CCA) Rules, 1991. Therefore, the entire disciplinary proceedings resulting in passing the order of punishment Dt. 27- 07 -2013 by the 3rd respondent (i.e., District Collector, Y.S.R Kadapa District) are vitiated, and hence, are hereby set aside. However, this order does not preclude the respondents from proceedings against the applicants as per rules, if they so desire, by conducting enquiry de novo as per rules".

7. As per the orders of the Hon'ble APAT, the District Collector, Y.S.R Kadapa District, vide reference 10th read above, has appointed the Executive Director, SC Corporation, Kadapa as Enquiry Officer to conduct fresh enquiry/ de novo Inquiry into the charges framed against Sri S.Lakahmi Narayana, HWO. In reply, the Inquiry Officer, vide reference 11th read above, has submitted the enquiry report stated that, out of (6) article of charges, (3) charges are proved and (1) charge is partly proved. Accordingly, the District Collector, Y.S.R Kadapa District, vide reference 12th read above, has proposed a major penalty of 'stoppage of (3) increments with cumulative effect besides recovery of misappropriated amount of Rs.49,914.19 p.s' against the Charged Officer.

8. In the reference 15th read above, the Director of BC Welfare has informed the Govt., that the Charged Officer, Sri S.Lakshmi Narayana, HWO was expired on 25.05.2021 while in service and during the process of imposing punishment against him as per the remarks of denovo inquiry authority. Smt Indira Sai, W/o Late S.Lakshmi Narayana, HWO, while enclosing the Death Certificate of S.Lakshmi Narayana, HWO, has requested to release pensionary benifits of her husband.

9. Government after careful examination of case in detail and keeping in view of the report submitted by the Director of BC Welfare, have decided to abate further action against Late S.Lakshmi Narayana, the then HWO, Govt. BC Welfare Hostel for boys, Chitvel (V&M), Kadapa District, as he was expired on 25.05.2021 while in service, under sub rule 7 (b) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, besides recovery of loss caused to Government amounting to Rs.49,914.19 p.s (Rupees forty nine thousands nine hundred and fourteen and nineteen paisa only) from the legal heirs of the Accused Officer under Rule 9 (7) of Andhra Pradesh Revised Pension Rules, 1980.

(Cont'd ... P.3)

10. The Director of B.C.Welfare, A.P., Vijayawada, shall take necessary action and to recover the above amount duly following the procedure prescribed under Rule 9 (7) of the A.P. Revised Pension Rules, 1980.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.JAYALAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt Indira Sai, W/o Late S.Lakshmi Narayana, HWO "through" the Director of BC Welfare, A.P., Vijayawada.
The Director of BC Welfare, A.P., Vijayawada.

Copy to:
The Secretary, A.P.Vigilance Commission.
The District Collector, YSR District.
The Director General, Anti-Corruption Bureau, 2nd Floor, NTR Admn. Bhavan, P.N. Bus Station, Vijayawada, A.P.
The Accountant General (A & E), A.P., Hyderabad.
The District B.C.Welfare Officer, YSR District.
Sc.

// FORWARDED:: BY ORDER//

SECTION OFFICER